United Nations A/C.6/53/L.7

General Assembly

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Fifty-third session
Sixth Committee
Agenda item 151
Report of the United Nations Commission on International Trade Law on the work of its thirty-first session

Algeria, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Botswana, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Israel, Italy, Japan, Kenya, Latvia, Lithuania, Luxembourg, Malaysia, Mexico, Mongolia, Myanmar, Netherlands, Nigeria, Norway, Poland, Portugal, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Thailand, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela and Zimbabwe:
draft resolution

Report of the United Nations Commission on International Trade Law on the work of its thirty-first session

The General Assembly,

Recalling its resolution 2205 (XXI) of 17 December 1966, by which it created the United Nations Commission on International Trade Law with a mandate to further the progressive harmonization and unification of the law of international trade and in that respect to bear in mind the interests of all peoples, in particular those of developing countries, in the extensive development of international trade,

Reaffirming its conviction that the progressive harmonization and unification of international trade law, in reducing or removing legal obstacles to the flow of international trade, especially those affecting the developing countries, would significantly contribute to universal economic cooperation among all States on a basis of equality, equity and common interest and to the elimination of discrimination in international trade and, thereby, to the well-being of all peoples,

98-33631 (E) 051198

Stressing the value of participation by States at all levels of economic development and from different legal systems in the process of harmonizing and unifying international trade law,

Having considered the report of the United Nations Commission on International Trade Law on the work of its thirty-first session,[1]

Mindful of the valuable contribution to be rendered by the Commission within the framework of the United Nations Decade of International Law, in particular as regards the dissemination of international trade law,

Concerned that activities undertaken by other bodies of the United Nations system in the field of international trade law without coordination with the Commission might lead to undesirable duplication of efforts and would not be in keeping with the aim of promoting efficiency, consistency and coherence in the unification and harmonization of international trade law, as stated in its resolution 37/106 of 16 December 1982,

Stressing the importance of the further development of the Case Law on the United Nations Commission on International Trade Law Texts in promoting the uniform application of the legal texts of the Commission and its value for government officials, practitioners and academics,

1. *Takes note with appreciation* of the report of the United Nations Commission on International Trade Law on the work of its thirty-first session;[1]

2. *Commends* the Commission for the progress made in its work on receivables financing, electronic commerce, privately financed infrastructure projects and the legislative implementation of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards;[2]

3. *Also commends* the Commission for holding a special commemorative "New York Convention Day" in order to celebrate the fortieth anniversary of the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York, 1958), and a Uniform Commercial Law Information Colloquium, designed to provide information on current topics and generate discussion among experts that might be useful in the consideration of those topics by the Commission;

4. *Appeals* to Governments that have not yet replied to the questionnaire circulated by the Secretariat in relation to the legal regime governing the recognition and enforcement of foreign arbitral awards to do so;

5. *Invites* States to nominate persons to work with the private foundation established to encourage assistance to the Commission from the private sector;

6. *Reaffirms* the mandate of the Commission, as the core legal body within the United Nations system in the field of international trade law, to coordinate legal activities in this field and, in this connection:

(a) *Calls upon* all bodies of the United Nations system, and invites other international organizations to bear in mind, the mandate of the Commission and the need to avoid duplication of effort and to promote efficiency, consistency and coherence in the unification and harmonization of international trade law;

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[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 17* (A/53/17).

[2] United Nations, *Treaty Series*, vol. 330, No. 4739.

(b) *Recommends* that the Commission, through its secretariat, continue to maintain close cooperation with the other international organs and organizations, including regional organizations, active in the field of international trade law;

7. *Also reaffirms* the importance, in particular for developing countries, of the work of the Commission concerned with training and technical assistance in the field of international trade law, such as assistance in the preparation of national legislation based on legal texts of the Commission;

8. *Expresses the desirability* for increased efforts by the Commission, in sponsoring seminars and symposia, to provide such training and technical assistance, and, in this connection:

(a) *Expresses its appreciation* to the Commission for organizing seminars and briefing missions in Colombia, Cyprus, Ecuador, Greece, Malta, Peru, South Africa and the United Arab Emirates;

(b) *Expresses its appreciation* to the Governments whose contributions enabled the seminars and briefing missions to take place, and appeals to Governments, the relevant United Nations organs, organizations, institutions and individuals to make voluntary contributions to the United Nations Commission on International Trade Law Trust Fund for Symposia and, where appropriate, to the financing of special projects, and otherwise to assist the secretariat of the Commission in financing and organizing seminars and symposia, in particular in developing countries, and in the award of fellowships to candidates from developing countries to enable them to participate in such seminars and symposia;

9. *Appeals* to the United Nations Development Programme and other bodies responsible for development assistance, such as the International Bank for Reconstruction and Development and the European Bank for Reconstruction and Development, as well as to Governments in their bilateral aid programmes, to support the training and technical assistance programme of the Commission and to cooperate and coordinate their activities with those of the Commission;

10. *Appeals* to Governments, the relevant United Nations organs, organizations, institutions and individuals, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to make voluntary contributions to the trust fund for travel assistance to developing countries that are members of the Commission, at their request and in consultation with the Secretary-General;

11. *Decides*, in order to ensure full participation by all Member States in the sessions of the Commission and its working groups, to continue its consideration, in the competent Main Committee during the fifty-third session of the General Assembly, on granting travel assistance to the least developed countries that are members of the Commission, at their request and in consultation with the Secretary-General;

12. *Requests* the Secretary-General to ensure the effective implementation of the programme of the Commission;

13. *Stresses* the importance of bringing into effect the conventions emanating from the work of the Commission for the global unification and harmonization of international trade law, and to this end urges States that have not yet done so to consider signing, ratifying or acceding to those conventions.

United Nations A/C.6/53/L.8

General Assembly

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6 November 1998

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Fifty-third session
Sixth Committee
Agenda item 149
United Nations Decade of International Law

Draft resolution proposed by the Chairman of the Working Group on the United Nations Decade of International Law

United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989, by which it declared the period 1990–1999 the United Nations Decade of International Law,

Noting the conclusion of the United Nations Decade of International Law in 1999,

Also recalling that the main purposes of the Decade, according to its resolution 44/23, should be, *inter alia*:

(a) To promote acceptance of and respect for the principles of international law,

(b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice,

(c) To encourage the progressive development of international law and its codification,

(d) To encourage the teaching, study, dissemination and wider appreciation of international law,

Further recalling its resolution 51/157 of 16 December 1996, to which was annexed the programme for the activities for the final term (1997–1999) of the Decade, its resolution 51/158 of 16 December 1996, entitled "Electronic treaty database", and its resolution 52/153 of 15 December 1997,

Expressing its appreciation for the note submitted by the Secretary-General,[1] and having considered it,

[1] A/53/492.

98-34208 (E) 091198

Welcoming the significant steps taken by the Secretary-General to rationalize and expedite the registration and publication of treaties pursuant to Article 102 of the Charter of the United Nations,

Noting the completion of the initial phase of the new electronic database for the United Nations Treaty Collection,

Recalling that the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986[2] is one of the conventions adopted under the aegis of the United Nations which have codified the law of treaties, and recalling also the impact of the Convention on the practice of treaties concluded between States and international organizations or between international organizations,

Noting that in accordance with General Assembly decision 41/420 of 3 December 1986, the Secretary-General signed, on behalf of the United Nations, the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,

Also recalling that at the forty-fifth session of the General Assembly the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations on the programme of activities for the Decade,

Noting that at the fifty-third session of the General Assembly the Sixth Committee reconvened the Working Group to continue its work in accordance with Assembly resolutions 52/153 and 52/155 of 15 December 1997 and all previous resolutions on the question,

Having considered the oral report of the Chairman of the Working Group to the Sixth Committee,

1. *Expresses its appreciation* for the work done on the United Nations Decade of International Law at the fifty-third session of the General Assembly, and requests the Working Group of the Sixth Committee to continue its work at the fifty-fourth session in accordance with its mandate and methods of work;

2. *Also expresses its appreciation* to States and international organizations and institutions that have undertaken activities, including sponsoring conferences on various subjects of international law, in implementation of the programme for the activities for the final term (1997–1999) of the Decade;

3. *Invites* all States and international organizations and institutions referred to in the programme to provide, update or supplement information on activities they have undertaken in implementation of the programme, as appropriate, to the Secretary-General for inclusion in the report requested in paragraph 8 of Assembly resolution 51/157, which should also contain a list of major international conventions adopted under the auspices of the United Nations during the Decade in the field of international law;

4. *Welcomes* the work done by the Permanent Court of Arbitration in the field of peaceful settlement of disputes, including the adoption of its optional rules of procedure for fact-finding commissions of inquiry, which entered into effect on 15 December 1997;

5. *Encourages* States to disseminate at the national level, as appropriate, information contained in the note submitted by the Secretary-General;[1]

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[2] A/CONF.129/15.

6. *Authorizes* the Secretary-General to deposit, on behalf of the United Nations, an act of formal confirmation of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations;

7. *Also encourages* States to consider ratifying or acceding to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,[2] international organizations that have signed the Convention to deposit an act of formal confirmation of the Convention and other international organizations entitled to do so to accede to it at an early date;

8. *Encourages* States parties and international organizations or agencies, including depositaries, in order to facilitate further implementation of the obligation laid down in Article 102 of the Charter of the United Nations to provide, where available, a copy of the text of any treaty in disk or other electronic format and to consider providing, where available, translations in English or French or both, as may be needed, for the purpose of assisting with the timely publication of the United Nations *Treaty Series*;

9. *Expresses* its appreciation to the Office of Legal Affairs of the Secretariat for its efforts to facilitate access to information concerning United Nations activities in the field of international law, and to bring up to date the publication of the *United Nations Juridical Yearbook*, and encourages it to continue its efforts in this regard;

10. *Expresses* its appreciation to the Secretary-General for the progress achieved in establishing a new electronic database for the United Nations Treaty Collection, and encourages him to continue the development of this database with a view to expeditiously providing Member States with a greater range of easily accessible treaty-related information;

11. *Requests* the Secretary-General to provide all necessary assistance, including translations services, to implement the plan to eliminate the historical backlog in the publication of the United Nations *Treaty Series* within the next biennium;

12. *Expresses* its appreciation to the Secretary-General for his note containing a list of the titles of the treaties appearing in the publication *Multilateral Treaties Deposited with the Secretary-General*;[3]

13. *Also requests* the Secretary-General to ensure that hard copies of the publications mentioned in paragraphs 11 and 12 above continue to be distributed to permanent missions free of charge in accordance with their needs;

14. *Appeals* to States, international organizations and non-governmental organizations working in the field of international law and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

15. *Once again requests* the Secretary-General to bring the programme, as well as the note referred to in paragraph 12 above, to the attention of States and international organizations and institutions working in the field of international law;

16. *Notes with appreciation* the activities undertaken by the International Committee of the Red Cross in the field of international humanitarian law, including with regard to the protection of the environment in times of armed conflict;

17. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "United Nations Decade of International Law" and to convene a one-day plenary meeting on 17 November 1999 to mark the end of the Decade;

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[3] A/53/525.

18. *Takes note* with interest of the events that will take place during the year 1999 to commemorate the centennial of the first International Peace Conference and the closing of the United Nations Decade of International Law.

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General Assembly

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12 November 1998

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Fifty-third session
Sixth Committee
Agenda item 149
United Nations Decade of International Law

Draft resolution proposed by the Chairman of the Working Group on the United Nations Decade of International Law

United Nations Decade of International Law

The General Assembly,

Recalling its resolution 44/23 of 17 November 1989, by which it declared the period 1990–1999 the United Nations Decade of International Law,

Noting the conclusion of the United Nations Decade of International Law in 1999,

Also recalling that the main purposes of the Decade, according to its resolution 44/23, should be, *inter alia*:

(a) To promote acceptance of and respect for the principles of international law,

(b) To promote means and methods for the peaceful settlement of disputes between States, including resort to and full respect for the International Court of Justice,

(c) To encourage the progressive development of international law and its codification,

(d) To encourage the teaching, study, dissemination and wider appreciation of international law,

Further recalling its resolution 51/157 of 16 December 1996, to which was annexed the programme for the activities for the final term (1997–1999) of the Decade, its resolution 51/158 of 16 December 1996, entitled "Electronic treaty database", and its resolution 52/153 of 15 December 1997,

Expressing its appreciation for the note submitted by the Secretary-General,[1] and having considered it,

[1] A/53/492.

98-35077 (E) 121198

Welcoming the significant steps taken by the Secretary-General to rationalize and expedite the registration and publication of treaties pursuant to Article 102 of the Charter of the United Nations,

Noting the completion of the initial phase of the new electronic database for the United Nations Treaty Collection,

Recalling that the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations of 21 March 1986[2] is one of the conventions adopted under the aegis of the United Nations which have codified the law of treaties, and recalling also the impact of the Convention on the practice of treaties concluded between States and international organizations or between international organizations,

Noting that in accordance with General Assembly decision 41/420 of 3 December 1986, the Secretary-General signed, on behalf of the United Nations, the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,

Also recalling that at the forty-fifth session of the General Assembly the Sixth Committee established the Working Group on the United Nations Decade of International Law with a view to preparing generally acceptable recommendations on the programme of activities for the Decade,

Noting that at the fifty-third session of the General Assembly the Sixth Committee reconvened the Working Group to continue its work in accordance with Assembly resolutions 52/153 and 52/155 of 15 December 1997 and all previous resolutions on the question,

Having considered the oral report of the Chairman of the Working Group to the Sixth Committee,

1. *Expresses its appreciation* for the work done on the United Nations Decade of International Law at the fifty-third session of the General Assembly, and requests the Working Group of the Sixth Committee to continue its work at the fifty-fourth session in accordance with its mandate and methods of work;

2. *Also expresses its appreciation* to States and international organizations and institutions that have undertaken activities, including sponsoring conferences on various subjects of international law, in implementation of the programme for the activities for the final term (1997–1999) of the Decade;

3. *Invites* all States and international organizations and institutions referred to in the programme to provide, update or supplement information on activities they have undertaken in implementation of the programme, as appropriate, to the Secretary-General for inclusion in the report requested in paragraph 8 of Assembly resolution 51/157, which should also contain a list of major international conventions adopted under the auspices of the United Nations during the Decade in the field of international law;

4. *Welcomes* the work done by the Permanent Court of Arbitration in the field of peaceful settlement of disputes, including the adoption of its optional rules of procedure for fact-finding commissions of inquiry, which entered into effect on 15 December 1997;

5. *Encourages* States to disseminate at the national level, as appropriate, information contained in the note submitted by the Secretary-General;[1]

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[2] A/CONF.129/15.

6. *Authorizes* the Secretary-General to deposit, on behalf of the United Nations, an act of formal confirmation of the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations as provided in article 83 of the Convention;

7. *Also encourages* States to consider ratifying or acceding to the Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations,[2] international organizations that have signed the Convention to deposit an act of formal confirmation of the Convention and other international organizations entitled to do so to accede to it at an early date;

8. *Encourages* States parties and international organizations or agencies, including depositaries, in order to facilitate further implementation of the obligation laid down in Article 102 of the Charter of the United Nations to provide, where available, a copy of the text of any treaty in disk or other electronic format and to consider providing, where available, translations in English or French or both, as may be needed, for the purpose of assisting with the timely publication of the United Nations *Treaty Series*;

9. *Expresses* its appreciation to the Office of Legal Affairs of the Secretariat for its efforts to facilitate access to information concerning United Nations activities in the field of international law, and to bring up to date the publication of the *United Nations Juridical Yearbook*, and encourages it to continue its efforts in this regard;

10. *Expresses* its appreciation to the Secretary-General for the progress achieved in establishing a new electronic database for the United Nations Treaty Collection, and encourages him to continue the development of this database with a view to expeditiously providing Member States with a greater range of easily accessible treaty-related information;

11. *Encourages* the Secretary-General to continue developing a policy of providing Internet access to the United Nations *Treaty Series* and the *Multilateral Treaties Deposited with the Secretary-General*, bearing in mind the needs of States, in particular developing countries in recovering the costs thereof, and requests the Secretary-General to report on this issue at its fifty-fourth session;

12. *Requests* the Secretary-General to provide all necessary assistance, including translations services, to implement the plan to eliminate the historical backlog in the publication of the United Nations *Treaty Series* within the next biennium;

13. *Expresses* its appreciation to the Secretary-General for his note containing a list of the titles of the treaties appearing in the publication *Multilateral Treaties Deposited with the Secretary-General*;[3]

14. *Also requests* the Secretary-General to ensure that hard copies of the publications mentioned in paragraphs 11 and 12 above continue to be distributed to permanent missions free of charge in accordance with their needs;

15. *Appeals* to States, international organizations and non-governmental organizations working in the field of international law and to the private sector to make financial contributions or contributions in kind for the purpose of facilitating the implementation of the programme;

16. *Once again requests* the Secretary-General to bring the programme, as well as the note referred to in paragraph 12 above, to the attention of States and international organizations and institutions working in the field of international law;

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[3] A/53/525.

17. *Notes with appreciation* the activities undertaken by the International Committee of the Red Cross in the field of international humanitarian law, including with regard to the protection of the environment in times of armed conflict;

18. *Takes note* with interest of the events that will take place during the year 1999 to commemorate the centennial of the first International Peace Conference and the closing of the United Nations Decade of International Law;

19. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "United Nations Decade of International Law" and to convene a one-day plenary meeting on 17 November 1999 to mark the end of the Decade.

United Nations A/C.6/53/L.9

General Assembly

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9 November 1998

Original: English

Fifty-third session
Sixth Committee
Agenda item 153
Establishment of an international criminal court

Draft resolution submitted by the Bureau

Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995 and 51/207 of 17 December 1996,

Also recalling its resolution 52/160 of 15 December 1997, in which it decided to hold the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in Rome from 15 June to 17 July 1998,

Expressing satisfaction at the completion of the mandate of that resolution, the adoption of the Rome Statute of the International Criminal Court,[1] at the Headquarters of the Food and Agriculture Organization of the United Nations in Rome on 17 July 1998, and taking note of the opening for signature of the Statute in Rome on 17 July 1998 until 17 October 1998, and thereafter in New York at United Nations Headquarters until 31 December 2000, and also taking note of the Final Act of the Conference done at Rome on 17 July 1998,[1]

Noting that a significant and growing number of States have signed the Rome Statute,

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the Court in order to ensure its effective operation,

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court, consisting of representatives of States that have signed the Final Act of the Conference and other States that were invited to participate in the Conference,

Also noting that the Conference requested the Secretary-General of the United Nations to convene the Preparatory Commission at United Nations Headquarters in New York as early as possible at a date to be decided by the General Assembly,

[1] See A/CONF.183/9.

98-34360 (E) 091198

Recalling the mandate of the Preparatory Commission with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including before 30 June 2000 the finalization of the draft texts of the rules of procedures and evidence and of the elements of crimes,

Recognizing the need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

1. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court;[1]

2. *Expresses its deep appreciation and gratitude* to the Government of Italy for hosting the Conference in Rome;

3. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Rome Statute;

4. *Requests* the Secretary-General to convene the Preparatory Commission to meet, in accordance with resolution F adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court,[1] in order to perform the mandate of that resolution, and in that connection to discuss ways to enhance the effectiveness and acceptance of the Court, from __ to __ March 1999 (three weeks), __ July to __ August 1999 (three weeks) and __ November to __ December 1999 (two weeks);

5. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, including the preparation of working documents if so requested by the Preparatory Commission, to enable it to perform its functions;

6. *Requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions[2] to participate, in the capacity of observers, in its sessions and work, and also to invite, as observers to the Preparatory Commission, representatives of interested regional intergovernmental organizations and other interested international bodies, including the International Tribunals for former Yugoslavia and Rwanda;

7. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission, including attending its plenary and its other open meetings in accordance with the rules of procedure to be adopted by the Commission, receiving copies of the official documents and making available their materials to delegates;

8. *Requests* the Secretary-General to take steps in order to expand the mandate of the trust fund established in Assembly resolution 51/207 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of the least developed countries, and encourages States to contribute voluntarily to this trust fund;

9. *Further requests* the Secretary-General to take steps to expand the mandate of the trust fund established in Assembly resolution 52/160 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of those

[2] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

developing countries not covered by the trust fund referred to in paragraph 8, and invites States to contribute voluntarily to this trust fund;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled: "Establishment of the International Criminal Court".

United Nations A/C.6/53/L.9/Rev.1

General Assembly

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18 November 1998

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Fifty-third session
Sixth Committee
Agenda item 153
Establishment of an international criminal court

Draft resolution submitted by the Bureau

Establishment of an international criminal court

The General Assembly,

Recalling its resolutions 47/33 of 25 November 1992, 48/31 of 9 December 1993, 49/53 of 9 December 1994, 50/46 of 11 December 1995 and 51/207 of 17 December 1996,

Also recalling its resolution 52/160 of 15 December 1997, in which it decided to hold the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court in Rome from 15 June to 17 July 1998,

Expressing satisfaction at the completion of the mandate of that resolution by the adoption of the Rome Statute of the International Criminal Court,[1] at the Headquarters of the Food and Agriculture Organization of the United Nations in Rome on 17 July 1998, and taking note of the opening for signature of the Statute in Rome on 17 July 1998 until 17 October 1998, and thereafter in New York at United Nations Headquarters until 31 December 2000, and also taking note of the Final Act of the Conference done at Rome on 17 July 1998,[1]

Noting that a significant number of States have signed the Rome Statute,

Emphasizing the need to make the necessary arrangements for the commencement of the functions of the Court in order to ensure its effective operation,

Noting in particular that the Conference decided to establish a Preparatory Commission for the Court, consisting of representatives of States that have signed the Final Act of the Conference and other States that were invited to participate in the Conference,

[1] See A/CONF.183/9.

98-35923 (E) 181198

Also noting that the Conference requested the Secretary-General of the United Nations to convene the Preparatory Commission at United Nations Headquarters in New York as early as possible at a date to be decided by the General Assembly,

Recalling the mandate of the Preparatory Commission with regard to the preparation of proposals for practical arrangements for the establishment and coming into operation of the Court, including before 30 June 2000 the finalization of the draft texts of the rules of procedures and evidence and of the elements of crimes,

Recognizing the need for making available adequate resources and secretariat services to the Preparatory Commission in order to enable it to discharge its functions efficiently and expeditiously,

1. *Acknowledges* the historic significance of the adoption of the Rome Statute of the International Criminal Court;[1]

2. *Expresses its deep appreciation and gratitude* to the Government of Italy for hosting the Conference in Rome;

3. *Calls upon* all States to consider signing and ratifying the Rome Statute, and encourages efforts aimed at promoting awareness of the results of the Conference and of the provisions of the Rome Statute;

4. *Requests* the Secretary-General to convene the Preparatory Commission to meet, in accordance with resolution F adopted by the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court,[1] in order to perform the mandate of that resolution, and in that connection to discuss ways to enhance the effectiveness and acceptance of the Court, from 16 to 26 February 1999, 26 July to 13 August 1999, and 29 November to 17 December 1999;

5. *Also requests* the Secretary-General to make available to the Preparatory Commission secretariat services, not including the preparation of working documents to enable it to perform its functions;

6. *Requests* the Secretary-General to invite, as observers to the Preparatory Commission, representatives of organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions[2] to participate, in the capacity of observers, in its sessions and work, and also to invite, as observers to the Preparatory Commission, representatives of interested regional intergovernmental organizations and other interested international bodies, including the International Tribunals for former Yugoslavia and Rwanda;

7. *Notes* that non-governmental organizations may participate in the work of the Preparatory Commission, by attending its plenary and its other open meetings in accordance with the rules of procedure to be adopted by the Commission, receiving copies of the official documents and making available their materials to delegates;

8. *Requests* the Secretary-General to take steps in order to expand the mandate of the trust fund established in Assembly resolution 51/207 for voluntary contributions towards meeting the cost of participation in the work of the Preparatory Commission of the least developed countries, and encourages States to contribute voluntarily to this trust fund;

9. *Further requests* the Secretary-General to take steps to expand the mandate of the trust fund established in Assembly resolution 52/160 for voluntary contributions towards

[2] Resolutions 253 (III), 477 (V), 2011 (XX), 3208 (XXIX), 3237 (XXIX), 3369 (XXX), 31/3, 33/18, 35/2, 35/3, 36/4, 42/10, 43/6, 44/6, 45/6, 46/8, 47/4, 48/2, 48/3, 48/4, 48/5, 48/237, 48/265, 49/1, 49/2, 50/2, 51/1, 51/6, 51/204 and 52/6.

meeting the cost of participation in the work of the Preparatory Commission of those developing countries not covered by the trust fund referred to in paragraph 8, and invites States to contribute voluntarily to this trust fund;

10. *Requests* the Secretary-General to report to the General Assembly at its fifty-fourth session on the implementation of the present resolution;

11. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled: "Establishment of the International Criminal Court".

United Nations A/C.6/53/L.10

General Assembly

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11 November 1998

Original: English

Fifty-third session
Sixth Committee
Agenda item 156
Review of the Statute of the Administrative Tribunal of the United Nations

United Kingdom of Great Britain and Northern Ireland: draft decision

Review of the Statute of the Administrative Tribunal of the United Nations

The General Assembly, recalling its resolution 52/166 of 15 December 1997, desiring to review the provisions of the Statute of the Administrative Tribunal of the United Nations, mindful of the comments made by States in this regard at its fifty-third session, decides to include in the provisional agenda of its fifty-fourth session the item entitled "Review of the Statute of the Administrative Tribunal of the United Nations".

98-34734 (E) 111198